

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PR&RD Dept. - Krishna District - Regularize the services of by Sri S.Bhirava Murthy, Panchayat Secretary, Gr.II, East Godavari District, with retrospective effect instead of prospective effect for the purpose of future benefits – Orders – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (EST.III) DEPARTMENT

G.O.RT.No. 23

Dated: 20-01-2021

Read the following:

- Ref:-1.G.O.Ms.No.462, PR&RD(Est.IV) Dept., t.21.12.2002.
2.Orders of the Hon'ble High Court of AP, Amaravathi in W.P.No.14579/2019, dt.25.09.2019.
3.C.C.No.1197/2020 in W.P.No.14579/2019, filed by Sri S.Bhirava Murthy, Panchayat Secretary, Gr.II, East Godavari District.
4.From Commissioner, PR&RD, Lr.No.1071926/CPR&RD/N3/2020-1, dt.24.11.2020.

&&&

ORDER:

In the reference 1st read above, Government have issued orders permitting the Commissioner (PR&RE) / District Panchayat Officer, East Godavari District to regularize the services of Sri S.Bhirava Murthy, Bill Collector (now Retired Panchayat Secretary, Gr.II,) East Godavari District along with others as per G.O.(P).No.212, dt.22.04.1994, against the vacant posts from the date of issue of orders, i.e., prospective date, as they fulfilled all the conditions laid down in the said G.O.

2. Aggrieved by the said orders, Sri S.Bhirava Murthy, Bill Collector (now Retired Panchayat Secretary, Gr.II,) East Godavari District has filed W.P.No.14579/2019 in the Hon'ble High Court of AP to regularize the services as Bill Collector from the date of his initial appointment and also extending the consequential benefits on the basis of initial appointment.

3. In the reference 2nd read above, the Hon'ble High Court of A.P., while disposing the W.P.No.14579/2019, dt.25.09.2019 directed the respondents "to consider the services of the petitioner by reckoning from the date on which he completed five years of service as on 25.11.1993 for the purpose of future benefits".

4. The applicant has filed C.A. No.1197/2020 in W.P.No.14579/2019 in the Hon'ble High Court of A.P. for implementation of the above orders passed by Hon'ble High Court of A.P. In the reference 4th read above, the Commissioner, PR&RD has requested the Govt. to issue necessary orders to implement the orders of the Hon'ble High Court in the W.P.No.14579/2019 "to consider the services of the petitioner by reckoning from the date on which he completed five years of service as on 25.11.1993 for the purpose of future benefits", subject to outcome of the SLP/ appeal to be filed in this regard, to avoid further contempt proceedings.

(P.T.O)

::2::

5. Government after careful examination of the matter, decided to implement the orders of Hon'ble, High Court in W.P. No.14579/2019. Accordingly, Government hereby order to regularise the services of Sri S.Bhirava Murthy, Panchayat Secretary, Gr.II, East Godavari District with retrospective effect w.e.f. 25.11.1993 instead of from the date of issuance of the orders vide G.O.Ms.No.462, PR&RD (Est.IV) Dept., dt.21.12.2002 for the purpose of future benefits. It is made clear that the applicant is not entitled for any monetary benefits prior to retirement, subject to outcome of the S.L.Ps pending before the Hon'ble Supreme Court of India in the matter.

6. This orders issues subject to outcome of the court cases pending, before the Hon'ble Courts. This shall not be quoted as a precedent case applicable to any other employee working in the Gram Panchayats and there is no right to insist for extending the benefit on par with the above individual, and it would not prejudice Government's right to appeal.

7. The Commissioner, PR&RD Dept., A.P., Tadepalli, Guntur District is requested to take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHARA PRADESH)

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner, Panchayat Raj & Rural Development Dept.,
A.P., Tadepalli, Guntur District.
The Individual (through Commissioner, PR&RD)
Copy to:
The District Panchayat Officer, East Godavari District.
The Government Pleader for Services,
A.P. High Court Buildings, Amaravathi.
The O.S.D. to the Hon'ble Minister (PR&RD).
The P.S. to Prl. Secretary to Govt., PR&RD Dept.
The Accountant General, AP, Vijayawada.
The Finance (FMU.PR&RD&RWS) Department
The Pay & Accounts Officer, A.P., Vijayawada.
The District Treasury Officer, Krishna District.
SC/SF.

// FORWARDED :: BY ORDER //

SECTION OFFICER